

Application No. 09/990,754

AMENDMENT TO THE DRAWINGS

Please replace original FIGs. 3 and 7 with FIGs. 3 and 7 in the Replacement Sheet attached hereto.

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### **REMARKS**

#### **Claim Status**

Claims 1-5, 7-12, and 14-28 are pending. Claim 29 is newly added.

Claims 1-5, 7, 10-14, 16-22, and 24-28 stand rejected.

Claims 8, 9, 15, and 23 stand objected to.

#### **Objections to the Drawings and the Specification**

The Examiner objected to the drawings and specification. The drawings and specification have been amended in accordance with suggestions by the Examiner. Applicant requests that Examiner withdraw objections to the drawings and specification.

#### **Objections to the Claims**

The Examiner objected to Claims 8, 9, 15, and 23 for being dependent upon rejected base claims but indicated the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. Claims 8, 9, 15, and 23 have been amended to include limitations of the base claims and intervening claims. Applicant requests that Examiner allow Claims 8, 9, 15, and 23.

#### **Interview on January 6 and 10, 2006**

On January 6 and January 10, 2006, the Examiner and applicant's attorney discussed the office action. The Examiner indicated that (1) he would allow objected-to but allowable claims (i.e., Claims 8, 9, 15, and 23) if amended to include all limitations of base and intervening claims even if limitations similar to "based at

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least in part on the processing capability of the remote device" are not included; (2) the rejection of Claims 16-18 under 112, 2<sup>nd</sup> paragraph would be overcome if amended to recite "computer-readable storage medium"; and (3) Claim 28 is allowable over the teachings of the cited reference, namely Timm et al (U. S. Patent No. 6,055,268).

Claim Rejections under 35 USC §112, 2<sup>nd</sup> paragraph

The Examiner rejected Claims 16-18 under 35 USC §112, 2<sup>nd</sup> paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 16-18 are amended to recite "computer-readable storage medium" and thus overcome the rejection under 112, 2<sup>nd</sup> paragraph. Applicant respectfully requests that the Examiner withdraw the rejection of Claims 16-18 under 35 USC §112, 2<sup>nd</sup> paragraph.

Claim Rejections under 35 USC §102(b)

The Examiner rejected Claims 1-5, 7, 10-14, 16, 17, 19-22, and 24-28 under 35 USC §102(b) as being anticipated by Timm et al (U. S. Patent No. 6,055,268) ("Timm").

As stated earlier, the Examiner withdrew the rejection of Claim 28 over Timm.

Independent Claims 1, 10, 16, and 24 are amended to recite language similar to that recited in Claim 28 and thus are allowable over the teachings of Timm for at least similar reasons as pertain to Claim 28. Claims 2-5, 7, 11, 12, 14, 17, 19-22, and 25-27 depend from base Claim 1, 10, 16, or 24 and thus are allowable over the teachings of Timm for at least the same reasons as pertain to Claim 1, 10, 16, or 24.

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New Claim

New Claim 29 is supported for example at FIG. 5 and accompanying text. No new matter is added. New Claim 29 depends from Claim 10 and is allowable over the teachings of Timm for at least the same reasons as pertain to Claim 10.

Final Remarks


Accordingly, because all pending claims are allowable (namely, Claims 1-5, 7-12, and 14-29), applicant respectfully requests that all pending claims be allowed.

If the Examiner has any questions concerning this application, please call the applicants' attorney, Glen Choi, at (212) 661-5488.

If there are any charges, please charge Deposit Account No. 50-0221.

Respectfully submitted,

Date: January 12, 2006

  
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**CERTIFICATE OF TRANSMISSION**  
**(37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office on January 12, 2006.

Glen B. Choi  
Name of Person Sending Facsimile

  
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